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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8 United States of America,)
9)
10 Plaintiff/Respondent,) No. CR 02-0422-PHX-PGR
11 v.) CV 06-0357-PHX-PGR (LOA)
12)
13 Luis F. Hernandez,)
14 Defendant/Movant.)

)

ORDER

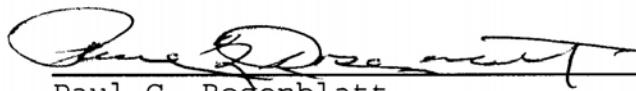
15 The Court having reviewed *de novo* the Report and
16 Recommendation of Magistrate Judge Lawrence O. Anderson and no
17 party having filed any objection to the Report and Recommendation,

18 IT IS ORDERED that the Magistrate Judge's Report and
19 Recommendation (**Doc. 50**) is **ACCEPTED and ADOPTED** by the Court.

20 IT IS FURTHER ORDERED that Movant's Motion to Vacate, Correct,
21 or Set Aside Sentence by Person in Federal Custody Pursuant to 28
22 U.S.C. § 2255 (Doc. 44, CR 02-0422-PHX-PGR) is **DENIED**. The Clerk
23 of the Court is directed to enter judgment accordingly.

24 IT IS FURTHER ORDERED that Respondent's Motion to Dismiss
25 (Doc. 4, CV 06-0357-PHX-PGR) is **GRANTED**. The Clerk of Court is
26 directed to enter judgment accordingly.

1 DATED this 26th day of July, 2006.
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10 Paul G. Rosenblatt
11 United States District Judge